IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE ACTING CHIEF JUSTICE MR.K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 26TH MARCH 2007 / 5TH CHAITHRA 1929

WP(C).No. 32993 of 2006(S)

PETITIONER:

THE PEOPLES UNION FOR CIVIL LIBERTIES (PUCL) REPRESENTED BY ITS DISTRICT PRESIDENT, SRI.SREEDHARAN TERAMBIL, THRISSUR DISTRICT COMMITTEE, AISTRIL COMMITTEE OFFICE, V.K.N. BUILDING, POST OFFICE ROAD, THRISSUR DISTRICT.

BY ADV. SRI.T.RAJASEKHARAN NAIR
SRI.RAJESH P.NAIR

RESPONDENTS:
----

1. STATE OF KERALA, REP. BY ITS SECRETARY, HEALTH & FAMILY WELFARE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DIRECTOR OF MEDICAL EDUCATION, THIRUVANANTHAPURAM.

3. THE PRINCIPAL, MEDICAL COLLEGE, THRISSUR.

4. THE SECRETARY, THRISSUR MEDICAL COLLEGE, ALUMINI ASSOCIATION, VELLAPPAYA P.O., THRISSUR.

R4 BY ADV. SRI.KOSHY GEORGE
GOVERNMENT PLEADER SMT. K. MEERA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

EXT. P1	**TRUE PHOTOCOPY OF A PRESS NEWS ITEM WHICH PUBLISHED IN A MALAYALAM DAILY, DESABHIMANI DURING APRIL, 2005.**
EXT.1(a)	**ENGLISH TRANSLATION OF EXT.P1.**
EXT.P2	**TRUE COPY OF ORDER DATED 13.4.05 ISSUED BY THE 1ST RESPONDENT .**
EXT.P3	**TRUE PHOTOCOPY OF ORDER DATED 4.10.06 ISSUED BY THE 1ST RESPONDENT .**
EXT.P4	**COPY OF THE NEWS ITEMS WHICH PUBLISHED IN MALAYALAM DAILY MALAYALA MANORAMA PUBLISHED ON 17.10.06, 18.10.06 RESPECTIVELY.**
EXT.P4(a)	**ENGLISH TRANSLATION OF EXT.P4.**

[True copy]

P.A. to Judge.

K.S. RADHAKRISHNAN, AG.C.J. & M.N. KRISHNAN,J.

= = = = = == = = = = = = = = = = = = = = =

W.P.C. NO. 32993 OF 2006

= =

Dated this the 26th day of March, 2007.

J U D G M E N T

Radhakrishnan, Ag.C.J.

This writ petition is preferred seeking to issue a writ of mandamus directing 2nd and 3rd respondents not to assign/sanction any piece of land owned by the Medical College, Thrissur to any organization including the 4th respondent. Ext.P3 is a Government order in which it is stated that relying upon the report of the Director of Medical Education, sanction has been accorded to Alumini Association, Thrissur to construct and donate an academic complex at their cost subject to certain conditions mentioned in the order. As per Ext.P3 order the Alumini Association shall not have any right over the land and buildings and they shall give it in writing so that after the construction the building shall be handed over to Principal, Medical College, Thrissur and functional aspects/utility shall be decided in

consultation with Principal without any cost liability to Government. We are of the view that the Government has laid down sufficient safeguards under Ext.P3 order. Under such circumstances, we do not find any reasonable ground to interfere with Ext.P3 order. Therefore, the writ petition lacks merit and it is dismissed.

K.S. RADHAKRISHNAN,
ACTING CHIEF JUSTICE.

M.N. KRISHNAN, JUDGE.

ul/-